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Summary record of the 27th meeting
Held at Headquarters, New York, on Thursday, 7 December 2006, at 10 a.m.

Chairperson: Mr. Yousfi ..... (Algeria)

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06-64697 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 117: Programme budget for the biennium 2006-2007 (*continued*)

Administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board (A/61/577)

Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body (A/C.5/61/10)

1. **Ms. Van Buerle** (Director, Programme Planning and Budget Division) introduced the report of the Secretary-General on the administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board (A/61/577), as well as the note by the Secretary-General (A/C.5/61/10) concerning the draft resolution on strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body contained in the letter dated 19 October 2006 from the Chairman of the Third Committee to the Chairman of the Fifth Committee (A/C.5/61/9).

2. Adoption of the Pension Board's recommendations on benefit provisions, strengthening the Information Management Systems Service, and additional resources for external and internal audit would give rise to overall additional requirements of $111,500 for the United Nations share of the administrative and audit costs of the Fund. Of the total requirements for the biennium 2006-2007, the cost under the regular budget would amount to $69,400 and the balance of $42,100 would be reimbursed to the United Nations by the United Nations Development Programme, the United Nations Population Fund and the United Nations Children's Fund. Every effort would be made to meet the additional requirements of $69,400 from within the current appropriation under section 1, Overall policymaking, direction and coordination, of the programme budget for the biennium 2006-2007; actual expenditures would be reported in the context of the performance report for the biennium 2006-2007.

3. With regard to the programmatic and financial implications of the draft resolution on strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, under the terms of the draft resolution, the General Assembly would authorize the Commission on Crime Prevention and Criminal Justice to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund, including its administrative and programme support costs budget, other than expenditures borne by the regular budget of the United Nations, and request the Advisory Committee to submit its comments and recommendations on the biennial consolidated budget for the United Nations Office of Drugs and Crime to the Commission on Crime Prevention and Criminal Justice.

4. Pursuant to the terms of the draft resolution, the Commission on Crime Prevention and Criminal Justice would hold a reconvened session for two days at the end of 2007 and every second year of each biennium thereafter, with two meetings per day and with interpretation services in all official languages and required pre-session, in-session and post-session documentation. Should the General Assembly adopt the draft resolution, and provided that a reconvened session of the Commission on Crime Prevention and Criminal Justice was held at the end of 2007, additional requirements under the programme budget for the biennium 2006-2007 would total $144,800, as reflected in paragraph 12 of the note by the Secretary-General.

5. Should the reconvened session be held back to back with the reconvened session of the Commission on Narcotic Drugs during the week of 26 to 30 November 2007, requirements for interpretation amounting to $48,500 could be met from in-house capacity and no additional costs for interpretation services would arise. Every effort would be made to meet the remaining additional requirements of $48,500 under section 2, General Assembly and Economic and Social Council affairs and conference management, and of $50,000 under section 16, International drug control, crime prevention and criminal justice, from current appropriations under those two sections, and any additional requirements would be reported in the context of the second performance report for the biennium 2006-2007.

6. In accordance with standard practice, the financial implications for 2008-2009 and subsequent bienniums would be considered in the context of the proposed programme budget for the respective

bienniums. Accordingly, adoption of the draft resolution would not give rise to any financial implications for the programme budget for the biennium 2006-2007.

7. **Mr. Saha** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said, with regard to the Secretary-General's report on the administrative and financial implications arising from the report of the United Nations Joint Staff Pension Board (A/61/577), that the Advisory Committee noted that, as indicated in the report (paras. 12 and 13), every effort would be made to accommodate the additional requirements within existing resources, and that actual expenditures would be reported in the second performance report for the biennium 2006-2007.

8. With regard to the Secretary-General's note on strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body (A/C.5/61/10), the Advisory Committee noted that, as indicated in the note (paras. 15 and 16), it was anticipated that additional requirements would be accommodated within existing resources and, as necessary, reflected in the second performance report for the biennium 2006-2007.

9. **Ms. Kuroda** (Japan) said that her delegation took note of paragraphs 12 and 13 of the Secretary-General's report (A/61/577) and paragraphs 15 and 16 of the Secretary-General's note (A/C.5/61/10), and trusted that the full amount of the estimated costs would be absorbed within approved appropriations.

10. **Ms. Lock** (South Africa), speaking on behalf of the Group of 77 and China, recalled that the Committee had received a proposal from the Secretary-General in response to its request, contained in General Assembly resolution 60/246, for recommendations on how the maintenance base of the Development Account could be increased by $5 million. Regrettably, however, it appeared that Member States were no closer than in previous years to achieving a consensus decision on the matter.

11. When the Development Account had been established, in 1997, the Secretary-General had stated that the maintenance balance would be increased by transferring to the Development Account savings resulting from administrative efficiencies. However, not a single cent had so far been transferred through that mechanism, which was clearly not working. Moreover, the Secretary-General had stated that in view of the continuing requests by the Assembly that he should meet additional mandates within existing resources, programme managers were prioritizing activities and, as a result, there were no additional administrative savings to be transferred.

12. The Group of 77 and China was not particularly happy with the proposals before the Committee, although it was willing to proceed with them. However, it was very concerned at the lack of progress being made in negotiations on the draft resolution on the Development Account, and also very concerned at the insistence that new mandates should be met from within existing resources and at the resulting implications for the request that administrative savings should be transferred to the Development Account. The Group could not be expected to continue acceding to requests that new mandates should be met from within existing resources. The Group therefore trusted that all those concerned would be willing to set aside positions that no longer offered a practical way forward and endeavour to consider the issue in a more open-minded and objective manner.

Agenda item 134: Financing of the United Nations Operation in Côte d'Ivoire (*continued*) (A/C.5/61/L.9)

Draft resolution A/C.5/61/L.9: Financing of the United Nations Operation in Côte d'Ivoire

13. *Draft resolution A/C.5/61/L.9 was adopted.*

14. **Mr. Banny** (Côte d'Ivoire) said that he wished to express the gratitude of the people of Côte d'Ivoire and his Government for the consistent solidarity demonstrated by the international community since the onset of the social and political crisis in the country.

15. **Ms. Lock** (South Africa) said that her delegation was very encouraged by the positive manner in which the Committee had considered the budget for the United Nations Operation in Côte d'Ivoire (UNOCI), and echoed the acknowledgement by the representative of Côte d'Ivoire of the contribution made by the international community.

16. **Ms. Udo** (Nigeria) acknowledged the vital role played by the international community and the African Union, as well as the special efforts of the Heads of State of the Economic Community of West African States and the President of South Africa. She highlighted the Security Council's adoption of

resolution 1721 (2006), and looked forward to considering any additional requests that might be submitted with respect to UNOCI in due course.

Agenda item 139: Financing of the United Nations Mission in Ethiopia and Eritrea (*continued*)
(A/C.5/61/L.10)

Draft resolution A/C.5/61/L.10: Financing of the United Nations Mission in Ethiopia and Eritrea

17. *Draft resolution A/C 5/61/L.10 was adopted.*

The meeting rose at 10.40 a.m.

United Nations A/C.5/61/SR.28

General Assembly
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Fifth Committee

Summary record of the 28th meeting
Held at Headquarters, New York, on Monday, 11 December 2006, at 10 a.m.

Chairman: Mr. Yousfi ..... (Algeria)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Saha

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Programme budget implications of draft resolution A/61/L.30: Oceans and the law of the sea

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06-65098 (E)

The meeting was called to order at 10.15 a.m.

Agenda item 117: Programme budget for the biennium 2006-2007 (*continued*)

Programme budget implications of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1: Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities (A/C.5/61/15)

Programme budget implications of draft resolution A/61/L.30: Oceans and the law of the sea (A/C.5/61/16)

Programme budget implications of draft resolution A/ES-10/L.20: Establishment of the United Nations Register of Damage caused by the Construction of the Wall in the Occupied Palestinian Territory (A/61/614; A/C.5/61/13)

1. **Ms. Van Buerle** (Director, Programme Planning and Budget Division), introducing the statement of programme budget implications of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1 (A/C.5/61/15), said that should draft resolution A/AC.265/2006/L.8/Rev.1 be adopted by the General Assembly, no immediate financial implications would arise. However, the document before the Committee described two possible scenarios, one based on the assumption that the Convention would be ratified and enter into force by mid-2007, and the other based on the assumption that it would not enter into force until late 2007. She drew attention to paragraphs 4, 5, 6 and 7 of the statement, which described the activities required under the Convention and requested in draft resolution A/AC.265/2006/L.8/Rev.1.

2. Should the Convention enter into force in 2007 and the Conference of the States Parties and the Committee on the Rights of Persons with Disabilities meet in 2007, additional requirements for the programme budget for the biennium 2006-2007 would amount to $3.3 million. Provision had already been made under section 2 in the amount of $1.5 million for servicing two annual sessions of the Ad Hoc Committee and two annual meetings of the pre-sessional working groups in 2007. Accordingly, the net additional conference servicing requirements in 2007 related to the Convention would amount to $1.3 million. In addition, should the Convention enter into force and the Conference of the States Parties and the first session of the Committee on the Rights of Persons with Disabilities be held in 2007, the Secretariat would revert to the General Assembly on meeting the conference servicing requirements in accordance with established procedures. It was envisaged that, to the fullest extent possible, the estimated expenditures attributable to the implementation of the proposed activities under section 23, Human rights, and section 28, Management and support services, would be met from within existing resources.

3. Should the Convention enter into force in late 2007 and the Conference of the States Parties and sessions of the Committee commence meeting in 2008, additional resources of $10 million would be considered in the context of the proposed programme budget for the biennium 2008-2009.

4. Turning to the statement of programme budget implications of draft resolution A/61/L.30 (A/C.5/61/16), she drew the Committee's attention to paragraphs 1, 3, 4, 5, 7 and 8 of document A/C.5/61/16. The conference servicing requirements, at full cost, for the four-day extension of the nineteenth session of the Commission on the Limits of the Continental Shelf would amount to $108,100 under section 2, General Assembly and Economic and Social Council affairs and conference management, and section 28D, Office of Central Support Services, of the programme budget for the biennium 2006-2007. While every effort would be made to absorb the additional requirements, any further appropriations would be reported in the context of the second performance report for the biennium 2006-2007. The requirements for servicing the Ad Hoc Open-ended Working Group in 2008, estimated at $264,300 under section 2 and $20,100 under section 28D, would be considered in the context of the proposed programme budget for the biennium 2008-2009.

5. Lastly, introducing the statement of programme budget implications of draft resolution A/ES-10/L.20 (A/C.5/61/13), she drew attention to chapters I and III of document A/C.5/61/13. The estimated costs of the establishment and maintenance of the Register of Damage for a one-year period from 1 January to 31 December 2007 amounted to $3,098,700. Paragraph 17 of the statement gave a detailed breakdown of those costs. Accordingly, should the General Assembly adopt draft resolution A/ES-10/L.20, an additional appropriation of $3,098,700 would be required under section 3, Political affairs, and section 35, Staff

assessment, to be offset by the same amount under Income section 1, Income from staff assessment, of the programme budget for the biennium 2006-2007.

6. **Mr. Saha** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the oral report of the Advisory Committee on the statement of programme budget implications of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1, said that the Advisory Committee was recommending that the Fifth Committee should inform the General Assembly that, should it adopt the draft resolution contained in document A/AC.265/2006/L.8/Rev.1, no immediate financial implications would arise.

7. The statement of programme budget implications provided an unusual level of detail concerning resources that might be requested in the context of the proposed programme budget for 2008-2009. The adoption of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1 should not be interpreted as prejudging in any way the outcome of the consideration of the proposed programme budget for the forthcoming biennium.

8. Referring to the statement of programme budget implications of draft resolution A/61/L.30, he pointed out that, as indicated in paragraph 11 of document A/C.5/61/16, it was envisaged that the additional requirements would be accommodated from within the appropriations for sections 2 and 28D of the programme budget for the biennium 2006-2007. Should the actual requirements for implementing the provisions of the draft resolution exceed the absorptive capacity of those sections, the additional requirements would be reported in the context of the second performance report for the biennium 2006-2007.

9. Introducing the Advisory Committee's report on the statement of programme budget implications of draft resolution A/ES-10/L.20 (A/61/614), he said that, while the additional estimated requirements for the programme budget for the biennium 2006-2007 for the establishment of the Register of Damage amounted to some $3.1 million, that estimate reflected the application of a 50 per cent vacancy factor for 2007. The estimated annual requirements at full cost would amount to some $3.9 million.

10. The Advisory Committee was recommending that the Fifth Committee should report to the General Assembly that, should it adopt draft resolution A/ES-10/L.20, an additional appropriation of up to $3,098,700 would be required under the programme budget for the biennium 2006-2007, including $2,812,000 under section 3, Political affairs, and $286,700 under section 35, Staff assessment. The latter sum would be offset by the same amount under Income section 1, Income from staff assessment.

11. **Mr. Kozaki** (Japan), referring to the programme budget implications of draft resolution A/61/L.30, said that he trusted that the additional requirements would be met from within approved resources. With regard to the programme budget implications of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1, he agreed with the Advisory Committee that the outcome of the deliberations on the proposed programme budget for the biennium 2008-2009 should not be prejudged. At the present stage, any additional costs should be absorbed though the prioritization and redeployment of existing resources, in accordance with the provisions of General Assembly resolutions 41/213 and 42/211.

12. Lastly, he pointed out that the ongoing discussions on draft resolution A/ES-10/L.20 might have consequences for the programme budget implications of the draft resolution. He would require further information from the Secretariat before taking any action.

13. **Mr. Fluss** (Israel) said that, while he recognized the Fifth Committee's competence to consider budgetary matters, the programme budget implications of draft resolution A/ES-10/L.20 were far greater than those originally envisaged in the relevant report of the Secretary-General (A/ES-10/361). It was clear that the issue had become politicized, even though the construction of the fence had been motivated by security rather than political concerns. In the face of Palestinian terror, the fence had become a necessity and, while the inconveniences it caused were reversible, the murder of Israeli citizens by Palestinian terrorists was not. Moreover, the Israeli judicial system had already implemented appropriate compensation mechanisms.

14. Draft resolution A/ES-10/L.20 was the result of a politicized process. The Palestinians and their supporters had become all too confident of their ability to hijack the General Assembly for their own purposes. Such actions ran counter to the objective of the tenth emergency special session, namely, uniting for peace.

The meeting was suspended at 10.35 a.m. and resumed at 12.30 p.m.

15. **Mr. Abelian** (Secretary of the Committee) read out the following draft decision:

> "The Fifth Committee, having considered the statement of programme budget implications submitted by the Secretary-General arising from the draft resolution on the establishment of the United Nations Register of Damage caused by the Construction of the Wall in the Occupied Palestinian Territory and the related report of the Advisory Committee on Administrative and Budgetary Questions:
>
> (a) *Decides* to endorse the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions;
>
> (b) *Reaffirms* rule 153 of the rules of procedure of the General Assembly;
>
> (c) *Decides* to appropriate up to $3,098,700 under section 3, Political affairs ($2,812,000), and section 35, Staff assessment ($286,700), to be offset by the same amount under Income section 1, Income from staff assessment, of the programme budget for the biennium 2006-2007, for the establishment and maintenance of the Register of Damage."

16. **Ms. Lock** (South Africa), speaking on behalf of the Group of 77 and China, requested a written text of the draft decision.

The meeting rose at 12.30 p.m.